



Serial No. 10/649,804
Attorney Docket No.: 12043-42245

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Connary et al.**)
)
Serial No. **10/649,804**) Art Unit: **2131**
)
Filed: **August 26, 2003**) Conf. No. **6001**
)
For: **Determining Threat Level Associated With**)
Network Activity)

INFORMATION DISCLOSURE STATEMENT

PAPER FILING ASSOCIATED WITH AN ELECTRONIC IDS FILING

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

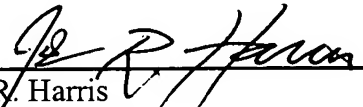
In accordance with the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant(s) hereby submit the information listed on the accompanying forms PTO/SB/08A, PTO/SB/08B for consideration by the Examiner in connection with the examination of the above-identified patent application.

- ☒ Copies of the documents listed in the accompanying forms are enclosed herewith.
- ☐ This application is a (continuation/divisional/continuation-in-part) of U.S. Application No. _____ filed on _____. Pursuant to 37 C.F.R. §1.98(d), copies of the documents listed in the accompanying forms were previously provided in the earlier

CERTIFICATE UNDER 37 CFR 1.10

Date of Deposit: October 27, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service To Addressee' service under 37 CFR 1.10 and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


John R. Harris
Reg. No. 30,388

application and such application is relied on for an earlier effective filing date under 35 U.S.C. 120.

BASIS FOR THIS SUBMISSION

An electronic information disclosure statement (IDS) is being submitted on this day concurrently with this paper IDS filing. Therefore the entire information disclosure statement submitted this day consists of each of the paper documents submitted herewith and each of the documents submitted in the electronic IDS filing.

SUBMISSION

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being submitted as indicated below:

☒ (1) (NO FEE DUE) Pursuant to 37 C.F.R. § 1.97(b), (i) within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53 (d), or (ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or (iii) before the mailing of the first Office Action on the merits, or (iv) before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114; or

☐ (2) Pursuant to 37 C.F.R. § 1.97(c), after the period defined in (1) but before the mailing date of a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311 or an action that otherwise closes prosecution in the application, and

☐ the requisite Statement is below, or

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted herewith,

or

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted in connection with an electronic IDS filed concurrently on this day.

☐ (3) Pursuant to 37 C.F.R. § 1.97(d), after the period defined in (2) but before payment of the issue fee, and

☐ the requisite Statement is below, and

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180 is submitted herewith.

☐ the requisite fee under 37 C.F.R. § 1.17(p), namely \$180, is submitted in connection with an electronic IDS filed concurrently on this day.

It is respectfully requested that each of the documents listed on accompanying forms PTO/SB/08A, PTO/SB/08B and other information contained herein be considered by the Examiner and made of record in this application.

STATEMENT

As required under 37 C.F.R. § 1.97(e), Applicant(s), through the undersigned, hereby state either that:

☐ (1) Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or,

☐ (2) No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

OTHER BASES FOR THIS FILING

☐ The above identified materials are submitted in this Continued Prosecution Application (CPA) under 37 C.F.R. § 1.53(d) before the mailing of the first Office Action, and it is therefore

believed that no fee for submission and consideration of this information is required pursuant to 37 C.F.R. § 1.97(b)(3).

☐ A Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 in conjunction with this application:

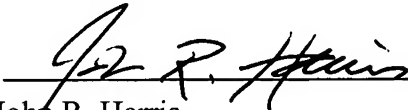
(i) ☐ was filed on _____; or

(ii) ☐ is filed concurrently herewith.

☐ The above identified materials are submitted in this application before the mailing of a first Office Action after the RCE filing, and it is therefore believed that no fee for submission and consideration of this information is required pursuant to 37 C.F.R. § 1.97(b)(4).

The citation of this information does not constitute an admission of priority or that any cited item is available as a reference, or a waiver of any right the applicant may have under applicable statutes, Rule of Practice in patent cases, or otherwise.

Respectfully submitted,

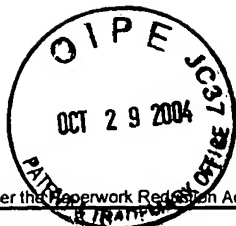


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Dated: October 27, 2004

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PTO/SB/08B (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

1

of

1

Complete if Known

Application Number 10/649,804

Filing Date August 26, 2003

First Named Inventor Iven Connary

Art Unit 2131

Examiner Name Unassigned

Attorney Docket Number 12043-42245

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	1	MUKHERJEE, Biswanath et al., Network Intrusion Detection, IEEE Network, May/June 1994, pgs. 26-41	
	2	YE, Nong, et al., Probabilistic Techniques for Intrusion Detection Based on Computer Audit Data, IEEE Transactions on Systems, Man, and Cybernetics - Part A: Systems and Humans, Vol. 31, No. 4, July 2001, pgs. 266-274	
	3	ERBACHER, Robert F. et al., Intrusion and Misuse Detection in Large-Scale Systems, IEEE Computer Graphics and Applications, January/February 2002, pgs. 38-48	

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.